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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/636,120	08/07/2003	Gerardo Orozco-Abundis	200206588-1	1561

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EXAMINER

EVANISKO, LESLIE J

ART UNIT	PAPER NUMBER
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2854

NOTIFICATION DATE	DELIVERY MODE
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01/17/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary**Application No.**

10/636,120

Applicant(s)

OROZCO-ABUNDIS, GERARDO

Examiner

Leslie J. Evanisko

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-14, 17 and 19-29 is/are rejected.
- 7) ☒ Claim(s) 15, 16 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☒ Other: See Continuation Sheet

Continuation of Attachment(s) 6). Other: partial translation of JP 2000-231163 A.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on October 15, 2007 has been entered.

Claim Objections

2. Claim 18 is objected to because of the following informalities:

With respect to claim 18, it is suggested that the term --each-- be inserted before "hinge" in line 3 since a plurality of hinges were previously recited.

Appropriate correction and/or clarification is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-10, 12-14, 17, 19-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Maruno (JP 2000-231163 A).

With respect to claim 1, Maruno teaches an image capture device 1 comprising a housing 3, 4 and at least one telescopic hinge 1a, 8, 9, 14 operable to couple a lid 6 to the housing 3, 4 the telescopic hinge comprising a latching member 14 configured to engage the housing to prevent inadvertent decoupling of the at least one telescopic hinge from the housing. See, in particular, Figures 1, 3, and 5(a)-5(b) and the partial English language translation of Maruno attached to this Office Action.

With respect to claim 2, note Maruno teaches the telescopic hinge releasably couples the lid 6 to the housing 3, 4 in Figures 6(a)-6(b) and described in paragraphs [0026]-[0027] of the partial translation.

With respect to claim 3, Maruno teaches at least one slot 5 in the housing 3, 4 operable to engage with the latching member 14 to prevent inadvertent decoupling of the telescopic hinge from the housing 3, 4.

With respect to claims 4-5, note Maruno teaches the housing includes at least one recess 13 and each of the at least one telescopic hinges being inserted into a corresponding one of the at least one recess to couple the lid 6 with the housing 3, 4.

With respect to claims 6-9, note Maruno teaches the telescopic hinge comprises at least one segment 1a adapted to be disposed in a recess 13 of the housing 3, 4 and at least another segment 9 of the hinge being slidably engaged with the at least one segment 1a.

With respect to claim 10, note Maruno teaches a third segment 8 which can be considered to be "slidably engaged" with another segment 1a as broadly recited.

With respect to claim 12, Maruno teaches an image capture device 1 comprising a lid 6, a housing 3, 4, and at least two telescopic hinges (see Fig. 1; 1a, 8, 9, 14), each having a plurality of segments (1a and 9), the at least two telescopic hinges pivotally coupling the lid 6 to the housing 3, 4, wherein a first segment 9 of the plurality of segments comprises a latching member 14 operable to engage with a slot 5 in the housing 3, 4.

With respect to claims 13-14, note Maruno teaches the first segment 9 comprises a ledge (formed by walls 15) near an end (i.e., side face of 9) of the first segment that surrounds an opening (formed between walls 15 and member 14) at the end as shown in Figure 2 in particular. Note that to the extent applicant has defined the "end", the side face of the first segment 9 can broadly be considered an "end".

With respect to claim 17, note Maruno teaches the at least two telescopic hinges releasably couple the lid to the housing, as shown in Figures 6(a) and 6(b).

With respect to claim 19, Maruno teaches an image capture device 1 comprising a housing 3 and at least one telescopic hinge 1a, 4, 8, 9, 14 operable to couple a lid 6 to the housing, the at least one telescopic hinge comprising a plurality of segments (1a, 4, 5, 16 and 8, 9, 14) slidably coupled to each other, the at least one telescopic hinge configured to prevent inadvertent decoupling of the plurality of segments relative to each other.

With respect to claims 20-21, Maruno teaches at least one of the plurality of segments includes a latching member (i.e., ledge) (14 or 16) to prevent inadvertent decoupling of the plurality of segments relative to each other.

With respect to claim 22, Maruno teaches the at least telescopic hinge is configured to prevent inadvertent decoupling of the telescopic hinge from the housing.

With respect to claim 23, Maruno teaches at least one of the plurality of segments comprises a latching member (i.e., screw described in paragraph [0015]) configured to engage the housing 3 to prevent inadvertent decoupling of the telescopic hinge from the housing.

With respect to claim 24, Maruno teaches an image capture device 1 comprising a housing 3 and at least one telescopic hinge 1a, 4, 5, 8, 9, 14, 16 operable to couple a lid 6 to the housing 3, the at least one telescopic hinge comprising a first segment 1a, 4, 5, 16 coupled to the housing 3 and a second segment 8, 9 slidably coupled to the first segment, at least one of the first and second segments configured to prevent inadvertent decoupling of the first and second segments relative to each other.

With respect to claims 25-26, Maruno teaches the first segment 1a, 4, 5, 16, includes a latching element (i.e., screw described in paragraph [0015]) to releasably couple the first segment to the housing and prevent inadvertent decoupling of the first segment from the housing.

With respect to claim 27-28, Maruno teaches at least one of the first and second segments comprises a latching element or ledge (14 or 16) to prevent inadvertent decoupling of the first and second segments relative to each other.

With respect to claim 29, Maruno teaches one 8, 9 of the segments has a latching element 14 to engage a ledge 16 on the other of the segments 1a, 4, 5.

Allowable Subject Matter

5. Claims 15-16 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claim 15 in particular, the prior art of record fails to teach or fairly suggest an image capture device having all of the structure as recited, in combination with and particularly including, at least two telescopic hinges each having a plurality of segments, the first segment of each telescopic hinge comprising a latching member operable to engage with a slot in the housing and a ledge near an end of the first segment and the second segment of the plurality of segments including a latching member operable to engage with the ledge of the first segment.

With respect to claim 18 in particular, the prior art of record fails to teach or fairly suggest an image capture device having all of the structure as recited, in combination with and particularly including, at least two telescopic hinges each having a plurality of segments, the first segment of each telescopic hinge comprising a latching member operable to engage with a slot in the housing and a second segment of the

plurality of segments comprising a channel operable to accept a pin to pivotally couple the lid to the each hinge.

Response to Arguments

7. Applicant's arguments with respect to claims 1-10 and 12-14, 17, and 19-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Reichard (US 2,056,805) teaches a telescopic hinge having obvious similarities to the claimed subject matter. Oya (JP 11-294000 A), JP 2002-244233, JP 7-54536 , and Qian (US 2004/0263916 A1) each teach an image capture device with a telescopic hinge having obvious similarities to the claimed subject matter.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on T-F 8:00 am-6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Leslie J. Evanisko/
Leslie J. Evanisko
Primary Examiner
Art Unit 2854

lje
January 5, 2008